

Group III, claims 27-30, drawn to kits for *in vitro* DNA synthesis.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, claims 1-9, 16-23, and 27-34. Applicants further elect the single species of alginic acid and salts thereof.

Applicants traverse the requirement for restriction on the grounds that the Examiner's assertion that the present application lacks unity of invention under PCT rule 13.1 is inaccurate. In the International Preliminary Examination Report (IPER) for the parent PCT application, PCT/JP99/02121, unity of invention has been acknowledged. Therefore, it is inappropriate for the Examiner to require restriction and to cite PCT Rule 13.1 as the reason for restriction, when the IPER clearly acknowledges unity of invention.

Furthermore, the Examiner states that the inventions listed as Groups I-III lack the same or corresponding special technical feature because heparin, heparin sulfate, pectin and DNA are well known in the art. Applicants respectfully point out, however, that the inventions listed as Groups I-III indeed have a common special technical feature under PCT Rule 13.2 which is the DNA synthesis reaction-enhancer. PCT Rule 13.2 also states that the special technical feature defines a contribution which each of the inventions considered as a whole, makes over the prior art. In this case, even though heparin, heparin sulfate, pectin and DNA are

well know in the art, the prior art does not disclose their use as a DNA synthesis reaction-enhancer. Moreover, the claims of the present application do not limit the DNA synthesis reaction-enhancer to heparin, heparin sulfate, pectin and DNA. It is therefore respectfully requested that the Examiner withdraw the restriction requirement based on the arguments described above.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Marc S. Weiner (Reg. No. 32,181) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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